

**REMARKS**

Claims 2-5 and 8-10 are pending. The claims are believed to be in condition for allowance.

**Claim Amendments**

Claim 4 has been amended to delete the language of "lactones and hydrolysable esters." Claims 2 and 3 were amended accordingly. Claim 9 was amended to add "wherein the hygiene product is a diaper, incontinence pad or sanitary napkin." Support for this amendment can be found in the specification at least at paragraphs [0001] and [0008].

**§ 102(e) Rejection**

Claims 2-5 and 8-10 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hansen et al., U.S. Pat. No. 6,521,087. Applicants respectfully traverse this rejection.

**Hansen et al.**

Hansen et al. describes a material with fibers, a binder and particles. More specifically, Hansen et al. is directed to polymeric and non-polymeric binders for particles and the use of such binders in binding particles to fibers. *Column 1, lines 34-36*. The fibers are described in detail at least in columns 11 and 12. The binders are described in detail at least in columns 21-31. The particles are described in detail at least in columns 12-21. The particle characteristics are described under the heading "III. Particle Characteristics." *See Column 12, line 58*. Superabsorbent particles are described under the heading "IV. Superabsorbent Particles." *See Column 15, line 20*. Other particles are described under the heading "V. Other Particles." *See Column 15 line 61*. This "Other Particles" section contains two listings of particles for binding, water-insoluble particles and water-soluble particles, Table I and Table II, respectively. Hansen et al. describes the particulates in Table II as water-soluble particles that are capable of forming hydrogen bonds or coordinate covalent bonds and are suitable for use with the binders described in Hansen et al. *Column 18, lines 13-17*. Hansen et al. notes that many

water-soluble particles are potentially suitable and provides Table II as a non-exclusive list of approximately 140 examples of some such water-soluble particles. Column 18, lines 13-17; Column 20, lines 34-37. Gluconolactone is included among the approximately 140 particles listed in Table II as a particle with a function as a cleaner.

Hansen et al. is directed to providing a binder which can adhere particles to fibers. The teachings regarding superabsorbent material are directed to superabsorbent particles which may be adhered to fibers through the use of particular binders. Hansen et al. does not disclose any superabsorbent with particular properties such as odor control.

Superabsorbent particles and gluconolactone particles are disclosed in separate portions of Hansen et al. as particles suitable for use with binders for binding to fibers. *Column 6, lines 36-38, 54-56 and Column 19, Table II.* There is no description in Hansen et al. of gluconolactone particles and superabsorbent particles being both, simultaneously, bonded to fibers to form a superabsorbent material with odor control, and, in particular, there is no disclosure wherein the gluconolactone is present in an amount of 1-20 wt.% with respect to the weight of the superabsorbent material.

#### Independent Claim 4

Independent claim 4 is directed to a superabsorbent material with odor control which contains a non-acidic compound selected from acid anhydrides, lactides, butyrolactone, valerolactone, glucuronolactone, starch acetate and cellulose acetate. The non-acidic compound is present in an amount of 1-20 wt.% with respect to the weight of the superabsorbent material.

The Examiner has asserted that Hansen et al. teaches a superabsorbent material which contains a gluconolactone at Column 41, lines 3-10, and Column 50, lines 9-24. Applicants respectfully disagree for at least the reasons set forth in the Reply of April 13, 2005.

In order to expedite prosecution, claim 4 has been amended to delete "lactones and hydrolysable esters" from the list of non-acidic compounds.

Thus, Hansen et al. does not teach or suggest each feature of the claim 4. For example, Hansen et al. does not teach or suggest a

superabsorbent with a non-acidic compound selected from acid anhydrides, lactides, butyrolactone, valerolactone, glucuronolactone, starch acetate and cellulose acetate.

For at least the foregoing reasons, Hansen et al. does not anticipate or render obvious the invention as defined in claims 2-5.

#### Independent Claim 9

The Examiner has asserted that Hansen et al. teaches a superabsorbent material which contains a gluconolactone at Column 41, lines 3-10, and Column 50, lines 9-24. Applicants respectfully disagree.

Gluconolactone is listed in Table II of Hansen et al. as a cleaner. Table II mentions about 140 items starting with letter A running to letter M (items N-Z apparently not being suitable). This list of items is not a disclosure of a specific item being added, and, moreover, is not a disclosure of a specific item being combined with a superabsorbent particle.

Hansen et al. never discloses combining a superabsorbent with gluconolactone.

Moreover, the Examiner has provided no motivation as to why one of skill in the art would have selected gluconolactone from a list of approximately 140 particles and combined it with a superabsorbent in a manner that would arrive at the invention of claim 9. As amended, claim 9 is directed to a hygiene product that is a diaper, incontinence pad or sanitary napkin.

Gluconolactone is listed in Table II as a cleaner. One of skill in the art would not have been motivated by a reading of Hansen et al. to combine a cleaner with a superabsorbent for a diaper, incontinence pad or sanitary napkin.

The present inventors discovered that the specifically claimed non-acidic, alkali-neutralizing compounds could be used with superabsorbent material to improve odor control. Hansen et al. does not recognize the need to improve odor control of superabsorbent material nor that the specifically claimed non-acidic, alkali neutralizing compounds could improve odor control while limiting skin irritation. In fact, Hansen et al. teach that gluconolactone is a cleaner. One of skill in the art would not be motivated by the disclosure of a cleaner to arrive at a diaper, incontinence pad or sanitary napkin of claim 9.

To suggest that Hansen et al. teaches or suggests each feature of claim 9 demonstrates a reliance on impermissible hindsight afforded by the claimed invention.

For at least the foregoing reasons, Hansen et al. does not anticipate or render obvious the invention as defined in claims 8-10.

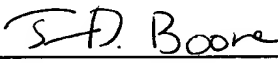
Conclusion

Therefore, Applicants respectfully request that the rejection of claims 2-5 and 8-10 under 35 U.S.C. § 102(e) as being anticipated by Hansen et al., be withdrawn.

Applicants believe they have responded to all matters raised in the above referenced Office Action and that the application is now in condition for allowance. If the Examiner has any questions concerning this Application or this Reply and Amendment, the Examiner is invited to contact the undersigned.

Respectfully submitted,  
BUCHANAN INGERSOLL PC

Date: October 12, 2005

By:   
Travis D. Boone  
Registration No. 52,635

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620